

**GARDERE**attorneys and counselors • [www.gardere.com](http://www.gardere.com)

RECEIVED  
CENTRAL FAX CENTER  
SEP 28 2006

**Fax**

DATE: Thursday, September 28, 2006

TO	COMPANY	PHONE NO.	FAX NO.
USPTO	Centralized fax number	800 786 9199	1 571 273 8300

FROM Tim Headley  
DIRECT LINE 713.276.5320  
DIRECT FAX 713.276.6320  
CLIENT/MATTER NO. 123029.001010  
TOTAL PAGES (including cover) 05

Is this for Court filing?  
Please indicate local time deadline:  
Confirmation Requested:

COMMENTS:

**NOTICE BY GARDERE WYNNE SEWELL LLP**

The message herein contained or attached documents accompanying this facsimile contains information from the law firm of Gardere Wynne Sewell LLP which is confidential and/or privileged, or may contain attorney work product. The information is intended only for the use of the addressee named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of such facsimile and attachments is strictly prohibited, and may be unlawful. If you have received this facsimile in error, please destroy without disclosing the contents, and notify the sender immediately. Unintended transmission does not constitute waiver of the attorney-client privilege or any other privilege.

Unless expressly stated otherwise, nothing contained in such message should be construed as a digital or electronic signature, nor is it intended to reflect an intention to make an agreement by electronic means.

GARDERE WYNNE SEWELL LLP

1000 Louisiana, Suite 3400, Houston, Texas 77002-5007 ■ 713.276.5500 Phone ■ 713.276.5555 Fax

Austin ■ Dallas ■ Houston ■ Mexico City ■ Washington D.C.

Fax Server

9/28/2006 2:39:43 PM

PAGE 002/005

Fax Server

RECEIVED  
CENTRAL FAX CENTER

SEP 28 2006

PATENT

Appl.No. 10/664,519

Amendment dated September 28, 2006

Reply to Office Action of September 13, 2006

Attorney Docket 124169-1010 (OTA 02-036)

## The United States Patent And Trademark Office

**Serial No.:** 10/664,519 **Art Unit:** 3768

**Applicants:** Darouiche et al. **Examiner:** Jaworski

**Filed:** September 17, 2003

**Docket No.** 124169-1010 (OTA 02-036)

**Customer No.** 37058

**Title:** Anti-Infective Endotracheal Tube

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## Amendment

Sir:

In response to the non-final Office action mailed September 13, 2006, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of the claims that begin on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.